

イスアピ. ATTORNEY DOCKET NO. **22841-018 PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
) Customer No.: 20277	
NICOLSON et al.)	
Social No.: 00/640 526) Confirmation No.: 6172	RECEIVED
Serial No.: 09/640,526)) Group Art Unit: 1714	
Filed: August 17, 2000) Examiner: Edward Cain	SEP / 9 2004
•	,	TC 1700
FOR: EXTENDED WEAR OPHI	THALMIC LENS	.5 1700

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is directed to the cited reference(s) listed on the attached PTO-1449. The cited references are believed to be the most relevant known to Applicants and/or Assignee at this time concerning the invention as claimed in the above-captioned patent application. No representation is made or intended that more relevant information does not exist or that the order of presentation of the information in any way reflects their relative pertinence.

Applicant(s) respectfully request(s) that each of the cited information be expressly considered during the prosecution of this application and that the cited reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. A copy of each reference is attached.

- [] 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. Thus, no certification or fee is required.
- [X] 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - [] a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

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- I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- [X] c. Please charge the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p). Please credit or debit Deposit Account No. 50-0417 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.
- This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) petition(s) that the Information Disclosure Statement be considered. Please charge Deposit Account No. 50-0417 in the amount of \$180.00 for payment of the petition fee. Please credit or debit Deposit Account No. 50-0417 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.
 - [] a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - [] b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

Please grant any extension of time deemed necessary for entry of this communication. Please charge any deficient fees, or credit any overpayment of fees associated with this communication to Deposit Account No. 50-0417. A duplicate copy of this communication is attached.

Respectfully submitted.

McDERMOTF WILL & EMERY LLP

Date: September 8, 2004

Registration No. 26,151

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Facsimile: 202-756-8087

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CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, Bausch & Lomb's Admitted Trial Exhibits 846-941, April 2004.								
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(hibits 787 B, C & D, April	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, Bausch & Lomb's Admitted Trial Exhibits 787 B, C & D, April 2004. CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court							
chibits 675-782, April 2004.	Trial Before the Honorable Richard W. Story, Division, Bausch & Lomb's Admitted Trial Ex	of Georgia, Atlanta	Judge for the Northern District	9 9				
chibits 423-667, April 2004.	Division, Bausch & Lomb's Admitted Trial Ex	of Georgia, Atlanta	Judge for the Northern District					
chibits 276-422 April 2004.	Division, Bausch & Lomb's Admitted Trial Ex Trial Before the Honorable Richard W. Story,	of Georgia, Atlanta	Judge for the Northern District	_ 크				
chibits 141-274, April 2004.	Division, Bausch & Lomb's Admitted Trial Ex Trial Before the Honorable Richard W. Story,	etneltA, signoe de la corgia, Atlanta	Judge for the Northern District	3				
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United States District Court	Division, Bausch & Lomb's Admitted Trial Ex Trial Before the Honorable Richard W. Story,	isch & Lomb, Inc.,	CIBA Vision Corporation v. Bau	<u>၁</u>				
United States District Court	Trial Before the Honorable Richard W. Story,	isch & Lomb, Inc.,	CIBA Vision Corporation v. Bau	8				
	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United, States District Court Ludge for the Northern District of Georgia, Atlanta Division, Bausch & Lomb's Admitted Trial Exhibits 1-33, April 2004.							
of the item (book, magazine, y and/or country where	CITE NO.	EXAMINER'S INITIALS						
	OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.) Include name of the author (in CAPITEL LETTERS), title of the article (when appropriate), title of the item (book, magazine,							
Relevant	Applicant of Cited Document Figures Appear		Foreign Patent Document Country Codes-Number «-Kind Codes (if known)	CITE NO.	EXAMINER'S INITIALS			
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Applicant Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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CITATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)		ATTY. DOCKET NO. 22841-018	TTY. DOCKET NO. SERIAL NO.						
		APPLICANT Paul NICOLSON, 6	et al.						
		FILING DATE GRO August 17, 2000 171		OUP 14					
			U.S. PATENT	T DOCUMENTS					
EXAMINER'S INITIALS	CITE NO.	Document Number Number-Kind Code2 (# known)	Publication Date MM-DD-YYYY	Name of Patentee or Appli Document			ges, Columns, Lines, Where evant Passages or Relevant Figures Appear		
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	CITE NO.	Foreign Patent Document Country Codes -Number 4 -Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Column Where Rele Figures Ap	vant		anslation	
							Yes	No	
INITIALS	CITE NO.	published. CIBA Vision Corporation v. Ba	journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, Bausch & Lomb's Admitted Trial Exhibits 944-1015, April 2004.						
	Ĺ		CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, Bausch & Lomb's Admitted Trial Exhibits 1016-1081, April 2004.						
	М	Judge for the Northern District	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, Bausch & Lomb's Admitted Trial Exhibits 1082-1132, April 2004.						
	N	Judge for the Northern District	of Georgia, Atlanta	rial Before the Honorable Richa Division, Bausch & Lomb's Adm	tted Trial Exhibits	s 1134-118	38, April 200	4.	
	0	Judge for the Northern District	of Georgia, Atlanta I	rial Before the Honorable Richa Division, CIBA'S Admitted Trial I	Exhibits 1-35, Ap	ril 2004. 🤊		~	
	Р	Judge for the Northern District	of Georgia, Atlanta I	rial Before the Honorable Richa Division, CIBA'S Admitted Trial I	Exhibits 36-93, Ap	pril 2004.			
	Q	Judge for the Northern District	of Georgia, Atlanta [rial Before the Honorable Richa Division, CIBA'S Admitted Trial I	Exhibit 94, April 2	2004.			
	R	Judge for the Northern District	of Georgia, Atlanta [nar Before the Honorable Richa Division, CIBA'S Admitted Trial I	Exhibits 95-183, A	April 2004.			
	S	Judge for the Northern District	of Georgia, Atlanta [rial Before the Honorable Richa Division, CIBA'S Admitted Trial I	Exhibits 184-332,	April 2004	١.		
	T	Judge for the Northern District	of Georgia, Atlanta [rial Before the Honorable Richa Division, CIBA'S Admitted Trial f	Exhibits 353-567,	April 2004	١.		
	U		CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, CIBA'S Admitted Trial Exhibits 601-619, April 2004.						
		EXAMINER			DATE CONSIDE	ERED			

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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE CITATION IN AN APPLICATION			ATTY. DOCKET NO. 22841-018	17.	SERIAL NO. 09/640,526				
				APPLICANT Paul NICOLSON, e	t al.				
(PTO-1449)			FILING DATE GROUP August 17, 2000 1714						
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	ll l	002710	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #17 & #18 **BITC** CibaVision 6/30/93, CV51 002710						
	JJ	002711	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #19 & #20 **BITC** CibaVision 6/30/93, CV51 002711						
	KK	002712							
	LL	002713							
	MM	002708							
	00	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #27 & #28 **BITC** CibaVision 6/30/93, CV51 002706							
	PP	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #29 RP Golf "Awards-Tape" CibaVision 6//30/93 CV51 002714 CIBA Vision Corporation v. Bausch & Lomb, Inc., Tape, 1. See3 Z-Por/ Dextran 6-10-95 Time – 1:50 2. See3 Dispensing							
		Study 6-10-95 Infiltrates - Mco	v/Raus Time 2:00,	CV51 002531			· · ·		
	QQ	CIBA Vision Corporation v. Bausch & Lomb, Inc., Tape, Extended Wear Brien Holden Ph.D, September 16, 1992, Erba, Italy, CV51 002536							
	RR	16-20, 1992, Erba, Italy Tape 1	of 4 Time: 6 Hours						
	SS CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision /CRU / CECERT Research Collaboration Meeting, September 16-20, 1992, Erba, Italy Tape 2 of 4 Time: 6 Hours, CV51 002533								
TT CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision /CRU / CECERT Research Collaboration Meeting, September 16-20, 1992, Erba, Italy Tape 3 of 4 Time: 6 Hours, CV51 002534									
UU CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision /CRU / CECERT Research Collaboration Meeting, September 16-20, 1992, Erba, Italy Tape 4 of 4 Time: 6 Hours, CV51 002535						r			
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CITATION DISCLOSURE CITATION IN AN APPLICATION (PTO-1449)			ATTY. DOCKET NO. 22841-018	SERIAL NO 09/640,520					
			APPLICANT Paul NICOLSON, et al.						
			FILING DATE GROUP August 17, 2000 1714						
			U.S. PATEN	T DOCUMENTS				10.44	
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EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes -Number 4 -Kind Codes (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear		Translation		
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-:-	V	Judge for the Northern District	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, CIBA'S Admitted Trial Exhibit 620, April 2004.						
	W	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, CIBA'S Admitted Trial Exhibits 621-640, April 2004.						t	
	Х		CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, CIBA'S Admitted Demonstrative Trial Exhibits 100-114, April						
	Y	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, Bausch & Lomb's Admitted Demonstrative Trial Exhibits 27-82, April 2004.							
	Z	Judge for the Northern District 2004.	CIBA Vision Corporation v. Bausch & Lomb, Inc., Trial Before the Honorable Richard W. Story, United States District Court Judge for the Northern District of Georgia, Atlanta Division, Bausch & Lomb's Admitted Demonstrative Trial Exhibit 83, April 2004.						
	AA	CIBA Vision Corporation v. Ba 002700	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #01 & #02 **BITC** CibaVision 6/30/93, CV51 002700						
	BB	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #03 & #04 **BITC** CibaVision 6/30/93, CV51 002701							
	CC	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #05 & #06 **BITC** CibaVision 6/30/93, CV51 002702							
	DD	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #07 & #08 **BITC** CibaVision 6/30/93, CV51 002703							
	EE	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #09 & #10 **BITC** CibaVision 6/30/93, CV51 002704							
	FF	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #11 & #12 **BITC** CibaVision 6/30/93, CV51 002705							
	GG	CIBA Vision Corporation v. Bausch & Lomb, Inc., Ciba Vision "See 3" Tape #13 & #14 **BITC** CibaVision 6/30/93, CV51 002707							
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